

ARTICLE IIA
APPOINTMENT AND SPECIAL ELECTION OF GOVERNORS

SECTION 1. VACANCY – WHAT CONSTITUTES

A vacancy on the Board of Governors occurs when any member of the board dies, resigns, or ceases to be an active member of the State Bar. (Added September 21, 1967.)

SECTION 2. APPOINTMENT – GENERALLY

All vacancies in the Board of Governors shall be filled by the board by appointment except as provided in this article. (Added September 21, 1967.)

SECTION 3. APPOINTMENT – LIMITED DURATION

A person appointed to fill a vacancy in the Board of Governors shall hold office until his or her successor is elected and qualified. If a vacancy leaves an unexpired term exceeding 18 months, a special election shall be held for the district involved as soon as practicable after the occurrence of the vacancy, but no later than within the time periods prescribed in article II of the these rules and regulations, for a regular election, and a successor shall be elected for the balance of the term in which the vacancy arose. (Amended January 16, 1969; December 4, 1975.)

SECTION 4. SPECIAL ELECTION – GENERALLY

Whenever a special election is held to fill an unexpired term of one or more board members, unless otherwise directed by the board (or interim board as described in section 5, below), the procedures prescribed in article II of these rules and regulations shall be followed by the secretary as nearly as may be and insofar as practicable. (Added May 24, 1968; amended December 4, 1975.)

SECTION 5. SPECIAL ELECTION – COMMON DISASTER TO THE BOARD

A. Common Disaster – Definition

As used in this article there is a common disaster to the board when there are eight or more vacancies in the board.

B. Common Disaster – Without Survivors

If as a result of a common disaster all offices of the board are vacant, an interim board composed of the five most recent former presidents of the State Bar who are active members of the State Bar and willing to serve, shall act in the place and stead of the former board in all matters requiring board action until the resulting vacancies can be filled at a special election held for that purpose. A special election to fill the vacancies shall be held at the direction of the interim board not later than the next regular election noticed and held in accordance with the provisions of article II of these rules and regulations following the common disaster. In its discretion the interim board may direct that such a special election be held on an earlier date specified by the interim board.

B. Common Disaster – With Survivors

In the event of a common disaster resulting in not more than 14 vacancies in the board, an interim board composed of any members of the existing board augmented at each such meeting by the most recent former presidents of the State Bar who are active members of the State Bar and willing to serve, in number sufficient to obtain the presence of an interim board of 8 at each such meeting shall act in the place and stead of the board. The board so augmented shall act until the resulting vacancies can be filled at a special election held for that purpose. A special election to fill the vacancies shall be held at the direction of the interim board not later than the next regular election noticed and held in accordance with the provisions of article II of these rules and regulations following the common disaster. In its discretion the interim board may direct that such a special election be held on an earlier date specified by the interim board. (Amended January 16, 1969.)

SECTION 6. TERM OF OFFICE – COMMENCEMENT AND EXPIRATION

The person receiving the plurality of votes in a special election to fill a vacancy on the board shall be deemed to have been elected and qualified as a member of the board upon the acceptance by the board of the report of the canvass of ballots in said election and the taking by such person thereafter of the oath of office of a member of the board. The term of office of a member of the board so elected shall be for the unexpired term of the vacant office and shall commence upon the taking of said oath of office. (Amended October 24, 1968; December 4, 1975.)